

**904: Reviewing and Remediating the Conflict of Interest****A. Responsibilities and principles**

The Department, in consultation with the Office, shall determine whether appropriate actions may be taken to sufficiently remedy an identified conflict. A conflict can be sufficiently remedied only where the existence of the conflict does not compromise the ability of the LTCO to carry out duties and where the conflict is not likely to alter the appearance of the LTCOP as an independent advocate for residents.

**B. Reviewing the Conflict of Interest**

1. Upon the allegation, discovery, or disclosure of such a relationship as described in Section 903 of this Manual, the Director shall order a review of the circumstances of the alleged conflict of interest by the General Counsel of the Department, State Ombudsman staff, and such other persons as may be designated by the Director. The review shall determine:
  - i. the circumstances of the alleged conflict of interest;
  - ii. whether a conflict of interest exists;
  - iii. whether the conflict of interest was knowing or accidental;
  - iv. whether the conflict could be remedied by appropriate action by the individual involved or by the agency involved.
2. The report of the review, and such recommendations

as the review committee shall make, shall be presented to the IDOA Director. The Director shall order such actions as deemed appropriate to remedy the conflict of interest.

3. The Department shall inform the individual involved and the agency involved, if appropriate, of the actions ordered by the Director.

**C. Remediating organizational or individual conflicts**

Where organizational or individual conflicts have been identified, the following steps shall be taken when the conflict can be sufficiently remedied:

1. a written plan shall be developed by the Office within thirty (30) calendar days of identification of the conflict to the Office;
2. the plan must identify the conflict and establish assurances which shall minimize to the greatest possible extent the influence of the conflict on the LTCOP and its designated representatives.